



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning & Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2304431  
**Applicant Name:** Julie Ledoux  
**Address of Proposal:** 12013 20<sup>th</sup> Ave NE

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into three parcels of land. Proposed parcel sizes are: Parcel A) 7,774.4 square feet, Parcel B) 7,495.1 square feet and Parcel C) 7,461.2 square feet. The existing detached garage located on proposed Parcel C is to be removed. The second garage on site located on proposed Parcel A is to remain and will be reconstructed.

The following approval is required:

**Short Subdivision** – to subdivide one (1) parcel of land into three (3) parcels of land.  
(SMC Chapter 23.24).

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition, or  
another agency with jurisdiction.

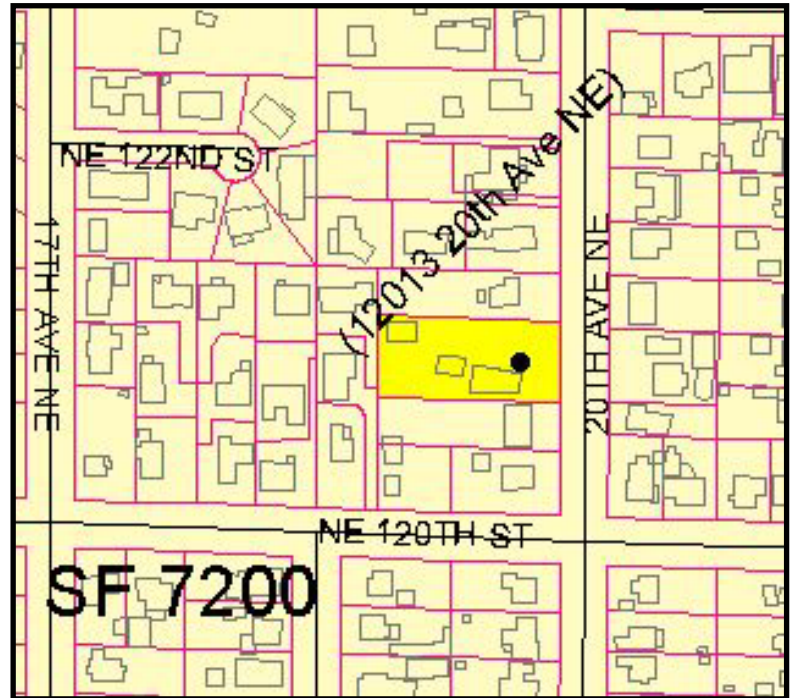
## **BACKGROUND DATA**

**Zoning:** SF 7200

**Uses on Site:** Single Family

**Substantive Site Characteristics:**

The subject slopes down gently to the east. There is no Environmentally Critical Areas (ECAs) mapped or otherwise observed on site. Access to the site is from 20th Ave NE, which is paved but is not improved with curbs or sidewalks. This site contains two exceptional trees, and they are both native Dogwoods (*Cornus Nuttalli*) located in the SE quadrant. One Dogwood is 7-inches, the other is 11-inches (the threshold diameter for this species is 6-inches). There are other native Dogwoods on the site, but they are in poor condition.



## **Public Comment**

Two comment letters were received during the comment period which ended August 8<sup>th</sup>, 2003. One comment stated support for the construction of three houses on the subject lot. The other comment letter expressed concern about the land use action.

## **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 7,200 square feet (SF 7200). The allowed use in a single family zone is one dwelling unit per lot, with accessory dwelling units meeting the provisions of SMC 23.44.041 notwithstanding. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setbacks are five (5) feet. Minimum rear yard setbacks are twenty-five (25) feet or if lot depth is less than one-hundred twenty five feet (125'), 20% of lot depth.

The lots created by this proposed division of land will conform to all development standards of the SF 7200 zoning designation with proper conditioning. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards. As a result of the subdivision, the existing garage located on proposed parcel A would be non-conforming as to height. The Land Use Code allows for garages in required rear yards to have a base height of twelve (12') feet, while the current garage's base height is 14.7'. A permit (Project No.2307509 Permit No. 738633) to have the garage brought into conformity was issued October 22<sup>nd</sup> 2003 and is currently an active application with DPD.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcels A, B, and C will have direct vehicle access to 20<sup>th</sup> Ave NE via an ingress, egress, and utility easement. Proposed parcels A and B will have direct pedestrian access to 20<sup>th</sup> Ave NE and proposed parcel C will have pedestrian access to 20<sup>th</sup> Ave NE via a five (5') foot pedestrian access easement. The easement will meet all requirements for vehicle and pedestrian access as the minimum width of the easement will be fifteen (15') feet at its smallest width and twenty (20') feet at its largest width. These widths will accommodate the required ten (10') foot vehicle access and five (5') foot pedestrian access easement requirements. The easements will specify the location of the pedestrian easement and vehicle easement on the face of the plat. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#260428-2-026) to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for pedestrians, vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on July 23<sup>rd</sup>, 2003 (WAC ID No. 2003-0790). An eight (8") inch public sanitary sewer (PSS) located in 20<sup>th</sup> Ave NE is available for sanitary discharge from all proposed parcels. The easement included in the short plat is adequate for sanitary discharge from all proposed parcels.

If new construction on either proposed Parcel B or C includes less than 2000 sq ft of new or replaced impervious surfacing, a detention system shared by proposed Parcels B and C shall be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are twenty (25) five trees located on the site. Most of these trees can be preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the trees. Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting, exceptional and significant tree protection requirements on single family lots.

After review by the City's Landscape Architect the following determinations have been made with regard to trees located on the subject property:

The site contains two (2) exceptional trees, and they are both native Dogwoods (*Cornus Nuttalli*) located in the southeast quadrant of the site. One dogwood is 7-inches, the other is 11-inches (the exceptional threshold diameter for this species is 6-inches per Director's Rule 6-2001). There are other native Dogwoods on the site, but they are in poor condition. The proposed development associated with this short subdivision will not

affect the said exceptional trees as the trees are located in the front yard of the house that is to remain. In order to ensure their health and care proper conditioning is warranted. Further, there are two Western Red Cedars (22" & 28") located on the western property line, which are feasible to save during construction and as a result proper conditioning is warranted. Lastly, there two trees a Douglas fir (24") and a Western Red Cedar (18") located north of the existing drive, near the eastern property line which provides character to the area and surrounding neighborhood. These trees are feasible to save and are outside of the required yard area of proposed Parcel B; therefore proper conditioning to ensure their health and care during any related construction activity is warranted.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

#### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

#### **CONDITIONS - SHORT SUBDIVISION**

##### **Conditions of Approval Prior to Recording**

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval, and any necessary fees.
3. Insert the following on the face of the plat: "Two exceptional trees are located on the proposed lots. Any tree removal or replacement is subject to the requirements of Seattle Municipal Code 25.11.050-060."
4. Clearly designate the six (6) trees to be preserved on the face of the plat, as specified in section six (6) of the short subdivision analysis. The contractor needs to give notification to Seattle Department of Transportation's Landscape Architect (Bill Ames: (206) 684-5693) once the fence is up so that inspection can be made and placards can be placed on the trees.

5. Add the conditions of approval to the face of the plat.
6. Complete the note on Sheets 3 and 4 of the plat referring to the permit number under which the existing garage is to be reconstructed.

Prior to the Individual Transfer or Sale of Lots

7. Legally demolish or remove the existing detach garage on proposed Parcel C prior to sale, purchase, or other ownership transfer of any of the parcels.
8. Have Project No. 2307509 Permit No. 738633 must be finalized by the DPD Building Inspector in order to bring the existing garage located on proposed Parcel A into conformity.

After Recording and Prior to Issuance of Any Building Permits

The owner(s) and/or responsible party(s) shall:

9. Attach a copy of recorded short subdivision to all copies of future building permit application plans.

Prior to Construction

10. A chain link fence shall be placed around the Western Red Cedars (22" and 28") on the eastern property line to the fullest extent possible without impeding necessary construction. The fence shall be in place before work proceeds on the site(s) and the contractor needs to give notification to Seattle Department of Transportation's Forester (Bill Ames: (206) 684-5693) once the fence is up so that inspection can be made and placards can be placed on the trees.

Signature: \_\_\_\_\_ (signature on file) Date: December 4, 2003  
Lucas DeHerrera, Land Use Planner  
Department of Planning & Development  
Land Use Services

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